

Remarks

Applicant has amended 1, 2, 15, 17, 19 and 21 and added claims 23-30.

Reconsideration and allowance is respectfully requested.

Claim Objection

The Office Action objected to claims 1-22 for the use of the term “DSR” and interpreted the “DSR” system in the claims as any distributed speech recognition system where speech features are sent from a client to a server for recognition processing for purpose of examination.

Independent claims 1, 15, 17, 19 and 21 have been amended to include “distributed speech recognition” to further define “DSR” in the respective claims. We intend for this to broadly cover any distributed speech recognition, and not to be limited to the ETSI (European Telecommunication Standards Institute) standard.

The Office Action also objected to claims 2, 7 and 14 for the use of the term “DSRML” and interpreted “DSRML” as any language specialized for distributed speech recognition applications that conform to XML protocols.

Claim 2 has been amended to include “distributed speech recognition markup language” to further define “DSRML”. Applicant intends for this to broadly cover any distributed speech recognition markup language regardless of whether XML or some other markup language schema is used.

Claim Rejections—35 U.S.C. 102

The Office Action rejected claims 1-4, 6-15, 17-19 and 21-22 under 35 U.S.C. 102(e) as being anticipated by Maes (US Application 2002/0184373). Applicant has amended claims 1, 2, 15, 17, 19 and 21.

Claims 1-4, 6-14 rejections

As is well-established, in order to successfully assert a *prima facie* case of anticipation, the Office Action must provide a single prior art document that includes every element and limitation of the claim or claims being rejected. Therefore, if even one element or limitation is missing from the cited document, the Office Action has not succeeded in making a *prima facie* case.

The Applicant respectfully submits that what the Office Action relied on is not qualified as prior art under 35 U.S.C 102(e).

The Office Action appears to be relying on the disclosure in paragraphs 322, 323 and FIG. 24 of Maes to reject claim 1. But, the information in the paragraphs 322, 323 and FIG. 24 of Maes appears neither in its parent application (US Patent Application 09/703,574, filed on Nov. 1, 2000) nor its provisional application (US Patent Application 60/277,770, filed on March 21, 2001), and thus the disclosure of such sections does not receive the benefit of the parent application's filing date nor the provisional application's filing date. Therefore, the relied upon disclosure of Maes does not qualified as prior art against Claim 1 under 35 U.S.C. 102(e) and does not anticipate the invention of claim 1.

Claims 2-14 include claim 1 as a base claim and are therefore allowable for at least similar reasons. Applicant respectfully requests the present rejection of claims 1-4 and 6-14 be withdrawn.

Claims 15 and 19

The method of claims 15 and 19 comprises receiving displayable content associated with a markup language document. Fig. 24, paragraphs 263, 321 and 324 of Maes may describe that a multi mode browser in the client may display content associated with a XML document. These paragraphs of Maes, however, do not qualify as a prior art for similar reasons described in regard to claim 1. Therefore, claims 15 and 19 are not anticipated by Maes. Applicant respectfully requests the present rejection of claims 15 and 19 be withdrawn.

Claims 17, 18, 21 and 22

For similar reasons proffered for claims 15 and 19, claims 17 and 21 which require sending displayable content associated with a markup language document, are allowable over Maes. Claims 18 and 22 respectively include claim 17 and 21 as a base claim and are therefore allowable for at least similar reasons. Applicant respectfully requests the present rejection of claims 17, 18, 21 and 22 be withdrawn.

Claim Rejections—35 U.S.C. 103 (Maes)

The Office Action rejected claim 5 under 35 U.S.C. 103 as being unpatentable over Maes. Claim 5 includes claim 1 as a base claim. Accordingly, claim 5 is

allowable for at least the reasons stated above in regard to claim 1. Withdraw of the present rejection of claim 5 is earnestly requested.

Claim Rejections—35 U.S.C. 103 (Maes/Allman/Nishimura)

The Office Action rejected claims 16 and 20 under 35 U.S.C. 103 as being unpatentable over Maes in view of Allman et al. (*Increasing TCP's Initial Window*), in further view of Nishimura et al. (US Patent 6,754,200), and further in view of Mathis et al. (*TCP Selective Acknowledgment Options*). Each of claims 16 and 20 include one of claims 15 and 19 as a base claim and are therefore allowable for at least the reasons stated above. Applicant respectfully requests the present rejection of claims 16 and 20 be withdrawn.

Conclusion

The foregoing is submitted as a full and complete response to the Official Action. Applicant submits that the application is in condition for allowance. Reconsideration is requested, and allowance of the pending claims is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account number 02-2666. If the Examiner believes that there are any informalities, which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (503) 439-8778 is respectfully solicited.

Respectfully submitted,



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